

## **MEETING #49 November 20**

At a Workshop Meeting of the Madison Board of Supervisors on Thursday, November 20, 2008 at 2:00 p.m., in the Thrift Road Complex:

PRESENT: Eddie Dean, Chairman, Eddie Dean  
James L. Arrington, Chairman  
William L. Crigler, Member  
Bob Miller, Member  
Clark Powers, Member  
Jacqueline S. Frye, Secretary

ABSENT: V. R. Shackelford, III, County Attorney  
Lisa A. Robertson, County Administrator

**\*CLARK POWERS ARRIVED @ 2:13 P.M.\***

**\*BOB MILLER ARRIVED @ 2:16 P.M.\***

Chairman, Eddie Dean called the meeting to order and noted that a Quorum was present.

The following topics were discussed during the session:

### **Initial Points of Information:**

- 1) The Kemper Mansion will open for a walk-through/tour on Monday, November 24, 2008 @ 2:00 p.m.;
- 2) All loan agreement documents were mailed on Wednesday, November 19, 2008 and is in the works;
- 3) Fairview Christian Church is having a program to dedicate their new building on Sunday, November 23, 2008 beginning @ 3:30 p.m. and all Board members are invited to attend;
- 4) The Board has been invited to attend a dinner @ Graves Mountain Lodge on behalf of the Extension Council to share in their meeting from 5:30 p.m. to 8:00 p.m. with the meal being served @ 6:00 p.m. (Board can attend during the recess after the 3:00 p.m. session).

After discussion, the Board asked Jacqueline Frye, Board Secretary, to advise the Extension Council of their intention to accept the invitation.

### **Madison County Park & Recreation Authority (Vacancies):**

Chairman, Eddie Dean stated the Madison Park & Recreation Authority will have recommendations to the Board at the Regular Meeting scheduled for December 9, 2008.

### **Rapidan Service Authority (Reappointment of Troy Coppage):**

Chairman, Eddie Dean stated that Troy Coppage's term expires in December 2008 and he is eligible for reappointment.

James L. Arrington asked whether the vacancy on this particular Board was advertised to the general public, to which Chairman, Eddie Dean advised it was not.

James L. Arrington verbalized that perhaps the Board should look to change the policy that is in place for community appointments.

Chairman, Eddie Dean advised the Board had decided to advertise when positions on community organizations arise; however, he feels if the individual is willing to serve and is loyal/dependable, he feels if a citizen is willing to serve and has done so in a faithful manner, then perhaps this can be taken into account.

After discussion, the Board decided to take a look at the existing policy and perhaps make a few changes to reflect more uniformity as well as flexibility in handling future community organization vacancies.

William L. Crigler commented on Caroline Watts, to which Chairman, Eddie Dean read a letter that was sent from Judge Bouton indicating Ms. Watts' intention to resign from her position as Clerk of the Circuit Court effective January 1, 2009, along with a summary of the contents of the letter regarding a special election to fill the upcoming vacancy.

Chairman, Eddie Dean strongly suggested (to Jane DeGeorge of the Madison Eagle) that Caroline Watts be given the opportunity to provide an interview before anything is published in the Madison Eagle.

In closing, Chairman, Eddie Dean advised that Judge Bouton would advise the County of procedures to be taken when it's time for a special election. Additionally, according to Virginia Code, the County will have to cover the expenses associated with the special election process; however, the Judge will be the one to decide how soon this process will need to be implemented.

**\*CLARK POWERS ARRIVED @ 2:13 P.M.\***

**\*BOB MILLER ARRIVED @ 2:16 P.M.\***

### **Central Virginia Regional Jail Board Authority (Resolution):**

Chairman, Eddie Dean commented on the Resolution to allow the Central Virginia Regional Jail to move away from having a Regional Jail Board and developing a Regional Jail Authority,

Chairman, Eddie Dean stated some of the questions the impact on real estate and personal

property if the aforementioned request was implemented. At the present time, in order for anything can be done with the property, an agreement must be attained from all five (5) participating localities to allow any change in order to make a commitment; he stated in order for a Jail Authority to exist, the real property would have to be transferred to the Jail Authority. Additionally, based on information attained from V. R. Shackelford, III, County Attorney, the process would essentially be the same as is currently in place and each participating locality would be entitled to an equal distribution with the proceeds being split according to the same formulas/percentages that the Central Virginia Regional Jail currently operates under (i.e. based on the average prisoner housing over a three-year period). In closing, Chairman, Eddie Dean stated that Madison County is currently responsible for about ten percent (10%) of the prisoners there (i.e. what is paid in is what will be disbursed).

Bob Miller asked if just one (1) jurisdiction had the authority to cause a disband of the authority or if all localities would have to agree.

Chairman, Eddie Dean stated he believed a jurisdiction could “opt” to move out; however, one jurisdiction doesn’t have the authority to force another jurisdiction(s) to sell and get their share of the proceeds, nor can any locality force the “authority” to buy them out. He stated if Madison County decided to move away from the “authority”, the County will be forfeiting whatever disbursement is entitled to return to Madison County.

Chairman, Eddie Dean also advised the total number of representatives from each locality that make up the existing Central Virginia Regional Jail Board (i.e. [5] Sheriffs, [5] regular members of each locality and [1] at-large member).

Chairman, Eddie Dean also advised there is currently no debt, but the existing request being presented by the Central Virginia Regional Jail will not impose a liability to the participating localities. Additionally, in the event a bond issue will be required on behalf of the Central Virginia Regional Jail, the participating localities will not be involved in the bond issue but the “Authority” will.

William L. Crigler asked if the “Authority” would have control over adjusting the fees to supplement the debt incurred by the prisoners, to which Chairman, Eddie Dean advised they could.

Chairman, Eddie Dean stated the Board cannot take action on this issue during the Workshop Session; however, a Public Hearing has been scheduled for Tuesday, December 9, 2008 at 7:40 p.m. during the evening session.

James L. Arrington asked if there was a “downside” should the County decide not to opt for approval for the Authority (i.e. whether or not they could move forward)..

Chairman, Eddie Dean advised the Central Virginia Regional Jail could still move forward whether Madison County opted out or not; however, the representatives would have to go to all five (5) localities and get approval for the funds to be spent; however, an “Authority” could not be attained without approval from all five (5) participating localities.

William L. Crigler asked what would take place in the event the “Authority” desired to do away with the existing facility and build a new structure that resulted in the dissolve of the “Authority” and how this would affect Madison County.

Chairman, Eddie Dean stated that he would suppose if a new facility was constructed and the old structure was vacated, he assumed the same requirements would be in place as are in place with Madison County for disposition of property (i.e. Public Hearing, etc.); he feels this will also be the same procedure in the event there was only a Jail Board or an “Authority.”

In closing, Chairman, Eddie Dean stated he has attended several meetings during which these issues were discussed and he recalls these same concerns being verbalized over the course of time; therefore, he only repeated what was indicated by the attorney that was in attendance on behalf of the Central Virginia Regional Jail.

Chairman, Eddie Dean stated he was unsure there will be much difference in the input provided by Madison County as the County is basically counting on having two (2) representatives as are currently appointed to the Central Virginia Regional Jail Board on an annual basis.

Chairman, Eddie Dean stated he believes two (2) localities have already authorized the Resolution.

James L. Arrington stated he feels the current request will be very positive for Madison County and doesn’t see any downside to the endeavor.

William L. Crigler verbalized the only negative is the manner in which the growth of the prisoner population versus demand in the jail system.

James L. Arrington stated he was a representative a few years back and feels their ability to rent space for federal prisoners is one of the few ‘bargains’ in existence.

William L. Crigler advised that expansion of the structure will allow the Central Virginia Regional Jail to house additional federal inmates; however, due to various cuts, it is unknown how long this will be in place.

Chairman, Eddie Dean stated he “commended” the original Madison County Board of Supervisors for being involved in the process of the Central Virginia Regional Jail and feels this was the

best choice for Madison County. Additionally, he advised the upcoming budget is the first time the County has had to invest 'start up' funds; unfortunately, he feels the contribution will increase in time, but feels this is a good quality product.

Chairman, Eddie Dean stated the Board will discuss the issue and either approve/disapprove the request during the December Regular Meeting. Additionally, legislation must be written and presented to the General Assembly in early January 2009.

Chairman, Eddie Dean suggested if anyone has any questions, please direct concerns to Lisa Robertson, County Administrator, so she can get an interpretation from V. R. Shackelford, III, County Attorney.

Chairman, Eddie Dean reminded the Board members of the Christmas luncheon at the Central Virginia Regional Jail on Friday, December 5, 2008 from 12:00 p.m. to 3:00 p.m.

Chairman, Eddie Dean also advised the Board has been invited to a joint dinner meeting on behalf of the Extension Council on Tuesday, December 9, 2009 from 5:30 p.m. to 8:00 p.m. at the Graves Mountain Lodge; he suggested the Board have Jacqueline S. Frye, Secretary, advise Brad Jarvis that the Board plans to attend during the recess following the first session of the December Regular Meeting and will have to depart early in order to arrive on time for the 7:30 p.m. evening session.

Chairman, Eddie Dean also advised of the County Employee Christmas Luncheon being scheduled for Thursday, December 18, 2009 at 12:00 p.m. (location to be announced) – an advertisement will be published in the Madison Eagle to advise the citizens of office closings for the event.

Chairman, Eddie Dean stated this issue can be discussed further following the Joint Meeting scheduled for December 3, 2008.

Bob Miller advised that he attended a conference hosted by Buck Klein (former forester in Madison County) on eco-system services regarding funding to establish programs in the farm bill; basically, the subject forced on wetland credit trading – if a developer destroys wetlands, the developer has to buy similar wetlands (or construct wetlands) under the EPA & DEQ regulations; he continued with various concepts of the program and guidelines that will be put into place for industries that pump a lot of CO<sub>2</sub> into the atmosphere. In closing, he stated the entire idea is to expand water quality/quantity resources, and to develop bio-diversity markets. He advised he was asked to participate in a state gathering to provide active ideas as to how the program guidelines could be applied. Additionally, he advised he wanted to represent Madison County in order to include the state legislature involved in the program in order to understand that localities such as Madison County are the recharge for a lot of water

resources and collect a lot of carbon; he also wanted to implant the idea that perhaps the local composite index could have some component to it that would grant Madison County some credits for the types of resources that Madison County protects. In closing, he stated that a more detailed report will be forthcoming.

Chairman, Eddie Dean thanked Bob Miller for the report and his efforts to involve Madison County in the report.

James L. Arrington asked if a Public Hearing was in the works to discuss efforts being offered by the PDR Committee, to which Chairman, Eddie Dean advised this will be moved on after the New Year in order to make the public more aware.

Leilani Stanley was presented and asked to be included on the Board's meeting Agenda, to which Chairman, Eddie Dean advised her to contact Jacqueline Frye, Secretary.

With no further discussion or action being required by the Board, on motion of William L. Crigler, seconded by James L. Arrington, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Date: November 21, 2008